

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN HAYNES and
ANDREW MONTGOMERY,

1:20-cv-5515 (NLH) (JS)

MEMORANDUM OPINION & ORDER

Plaintiffs,

v.

LOVETT, et al.,

Defendants.

APPEARANCES:

John Haynes
71371-050
Ray Brook
Federal Correctional Institution
Inmate Mail/Parcels
P.O. Box 300
Ray Brook, NY 12977

Andrew Montgomery
32735-018
Ray Brook
Federal Correctional Institution
Inmate Mail/Parcels
P.O. Box 300
Ray Brook, NY 12977

Plaintiff pro se

HILLMAN, District Judge

WHEREAS, Plaintiffs John Haynes and Andrew Montgomery filed a civil rights complaint pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) on May 4, 2020, see ECF No. 1; and

WHEREAS, Plaintiffs are federal prisoners confined in FCI Ray Brook, located in the Northern District of New York; and

WHEREAS, Plaintiffs allege they were exposed to covid-19 due to the inaction of the Warden of FCI Ray Brook and were denied release under the CARES Act; and

WHEREAS, there are no allegations in the complaint occurring within the District of New Jersey; and

WHEREAS, as all the events occurred within the Northern District of New York, the Court concludes the interests of justice would be better served by transferring this action to the Northern District of New York for resolution. See 28 U.S.C. § 1404(a) ("For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought");

THEREFORE, IT IS on this 5th day of May, 2020

ORDERED that the Clerk shall transfer this matter to the United States District Court for the Northern District of New York, 28 U.S.C. § 1404(a); and it is finally

ORDERED that the Clerk shall serve a copy of this Order upon Plaintiffs by regular mail and close this matter.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.